REMARKS

Claims 1-9 are pending and under consideration. New claims 8 and 9 are added herein. Support for new claims 8 and 9 may be fond in claim 1 as filed originally. Reconsideration is requested based on the following remarks.

Claim Rejections - 35 U.S.C. § 102:

Claims 1, 2, 3, and 7 were rejected under 35 U.S.C. § 102(b) as anticipated by Hehl, US 6,666,674 (hereinafter "Hehl"). The rejection is traversed.

Claim 1 recites,

"a second base frame supporting a second mass different from said first mass, said second mass including said movable platen."

Hehl neither teaches, discloses, nor suggests "a second base frame supporting a second mass different from said first mass, said second mass including said movable platen," as recited in claim 1. The statement in the Office Action at page 2 to the effect that "(t)he injection unit comprising of the movable mold carrier and the stationary mold carrier are disposed on the base component 10a," is therefore submitted to be incorrect.

Although the movable mold carrier and the stationary mold carrier of Hehl are both disposed on the same base component, the base component upon which they are disposed is other component 10b, not one component 10a, as may be seen clearly in Fig. 1. Movable mold carrier 11 isn't anywhere near one component 10a, actually. This is to be contrasted with claim 1, which recites, "a second base frame supporting a second mass different from said first mass, said second mass including said movable platen."

Furthermore, in Hehl, as noted immediately after the above-mentioned statement at page 2 of the Office Action, "however, in a preferred embodiment, the stationary mold carrier can be mounted on the other base component 10b (column 2, lines 45-49)." The literal statement to which the Office Action refers appears at column 2, lines 47-49,

> In the exemplified embodiment, the stationary mold carrier 12 can be mounted on the other component 10b of the machine base.

Here, Hehl is not describing an alternative embodiment in which stationary mold carrier can be mounted on the other base component 10b, contrary to the implication in the Office Action. Hehl, rather, is describing the *exemplified* embodiment, i.e. that shown in Fig. 1, in which other component 10b may be seen to support both movable mold carrier 11 and stationary mold carrier 12. Hehl simply reiterates the fact that stationary mold carrier 12 is mounted on other

component 10b, which is also where movable mold carrier 11 is mounted, as shown in Fig. 1. Other component 10b is where movable mold carrier 11 and stationary mold carrier 12 are always supported. This is to be contrasted with claim 1, which recites, "a second base frame supporting a second mass different from said first mass, said second mass including said movable platen."

Furthermore, as described in Hehl at column 2, lines 44-47,

> The injection molding unit is disposed above the one component 10a, whilst the mold closing unit is disposed above the other component 10b.

Thus, in Hehl, the *same* half of base 10, i.e. other component 10b, supports the *entire* mold closing unit F, i.e. both mold carrier 11 and stationary mold carrier 12. This is to be contrasted with claim 1, which recites, "a second base frame supporting a second mass different from said first mass, said second mass including said movable platen."

Furthermore, as described at column 3, lines 34-36,

> As can be seen in FIGS. 2 and 3, the one component 10a supporting the injection molding unit S is narrower than the other component 10b supporting the mold closing unit F.

Thus, in Hehl, the other component 10b supports the entire mold closing unit F, including both stationary mold carrier 12 movable mold carrier 11, as shown in Fig. 1. This is to be contrasted with claim 1, which recites "a second base frame supporting a second mass different from said first mass, said second mass including said movable platen."

Finally, as described at column 5, lines 1 and 2,

> a mold closing unit, which is disposed on the second component of the machine base.

Thus, in Hehl, the entire mold closing unit is disposed on the second component of the machine base. This is to be contrasted with claim 1, which recites "a second base frame supporting a second mass different from said first mass, said second mass including said movable platen." Claim 1 is thus submitted to be allowable. Withdrawal of the rejection of claim 1 is earnestly solicited.

Claims 2, 3, and 7 depend from claim 1 and add further distinguishing elements. Claims 2, 3, and 7 are thus also submitted to be allowable. Withdrawal of the rejection of claims 2, 3, and 7 is also earnestly solicited.

Claim Rejections - 35 U.S.C. § 103:

Claims 4 and 6 were rejected under 35 U.S.C. § 103 as being unpatentable over Hehl in view of Nash et al. US 4,099,905 (hereinafter "Nash"). The rejection is traversed. Reconsideration is earnestly solicited.

Claims 4 and 6 depend from claim 1 and add further distinguishing elements. Hehl neither teaches, discloses, nor suggests "a second base frame supporting a second mass different from said first mass, said second mass including said movable platen," as discussed above with respect to the rejection of claim 1. Nash does not either, and thus cannot make up for the deficiencies of Hehl with respect to claim 4 and 6.

Furthermore, as the Office Action acknowledged graciously at page 3, Hehl teaches no rear platen, as recited in claim 4. The Office Action seeks to make up for this deficiency of Hehl by combining Hehl with Nash. Since, however:

> "It is insufficient that the prior art [discloses] the components . . . either separately or used in other combinations; there must be some teaching, suggestion, or incentive to make the combination made by the inventor." *Northern Telecom, Inc. v. Datapoint Corp.*, 908 F.2d 931, 15 USPQ2d 1321 (Fed. Cir. 1990), *cert. denied*, 498 U.S. 920 (1990).
> "When a rejection depends on a combination of prior art references, there must be some teaching, suggestion, or motivation to combine the references." *In re Rouffet*, 47 USPQ2d 1453, 1456 (Fed. Cir. 1998); see also M.P.E.P. § 2143.01. Virtually all inventions are combinations of old elements. *See In re Rouffet*, 47 USPQ2d at 1457.

If identification of each claimed element in the prior art were sufficient to negate patentability, the Office Action could use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention. *See Id.* To prevent the use of hindsight based on the teachings of the patent application, the Office Action must show a motivation to combine the references in the manner suggested. *See Id.* at 1457-1458. The combination of Hehl and Nash, therefore, is submitted to be without basis.

Nash, in particular, provides a return conduit 25 for hydraulic fluid as an integral part of the machine base, as described at column 1, lines 10-14 and shown in Fig. 2. It is important to note that the integral conduit for hydraulic fluid is the purpose of the invention of Nash.

In order to combine Hehl with Nash, therefore, the return conduit 25 of Nash, which is the object of his invention, would have to be separated into halves and distributed between the separate halves of the base of Hehl. Hehl actually teaches away from the combination proposed in the Office Action at column 1, lines 20-23 when he notes the difficulties inherent in leveling

components disposed beneath the mold closing unit and injection molding unit relative to one another, coupled with the negative effects on the quality of the injection molded parts if they are not aligned.

Since the separate halves of the return conduit 25 of Nash would necessarily be disposed beneath the mold closing unit and injection molding unit of Hehl, they would need to be leveled relative to one another. If the separate sections of the return conduit were misaligned, they would leak. Thus, combining the separate halves of the base of Hehl with the integral return conduit of Nash would incur exactly those difficulties inherent in leveling components disposed beneath the mold closing unit and injection molding unit relative to one another that are noted by Hehl.

It is submitted therefore that persons of ordinary skill in the art who read Hehl for all it contained at the time the invention was made would have been deterred from combining Hehl with Nash, as proposed in the Office Action, since to do so would have exacerbated the problem Hehl sought to ameliorate, to wit: the difficulties inherent in leveling these components relative to one another. Adding half of a return hydraulic line to each positionable component 10a and 10b of base 10 of Hehl would simply have made the problem of leveling these components relative to one another worse, by adding one more pair of components to align. Claim 4 is submitted to be allowable. Withdrawal of the rejection of claim 4 is earnestly solicited.

Claim 6:

The Office Action acknowledges further at page 4 that Hehl shows no drive section mounted such that the first mass mounted on the first base frame includes the drive section, as recited in claim 6. The Office Action seeks to make up for this deficiency of Hehl as well by combining Hehl with Nash.

Hehl, however, teaches away from such a combination as discussed above with respect to the rejection of claim 4. It is submitted therefore that persons of ordinary skill in the art who read Hehl for all it contained at the time the invention was made would have been deterred from combining Hehl with Nash, as proposed in the Office Action, for at least those reasons discussed above with respect to the rejection of claim 4. Claim 6 is submitted to be allowable as well. Withdrawal of the rejection of claim 6 is earnestly solicited.

Claim 5:

Claim 5 was rejected under 35 U.S.C. § 103 as being unpatentable over Hehl in view of Looije et al. US 6,155,811 (hereinafter "Looije"). The rejection is traversed to the extent it would

apply to the claims as amended. Reconsideration is earnestly solicited.

Claim 5 depends from claim 1 and add further distinguishing elements. Hehl neither teaches, discloses, nor suggests "a second base frame supporting a second mass different from said first mass, said second mass including said movable platen," as discussed above with respect to the rejection of claim 1. Looije does not either, and thus cannot make up for the deficiencies of Hehl with respect to claim 5.

Furthermore, as the Office Action acknowledged graciously at page 5, Hehl teaches no platen support movably supporting a movable platen on a second base frame, as recited in claim 5. The Office Action seeks to make up for this deficiency of Hehl by combining Hehl with Looije. Hehl, however, teaches away from such a combination at column 1, lines 20-23 where he notes the difficulties inherent in leveling components disposed beneath the mold closing unit and injection molding unit relative to one another, coupled with the negative effects on the quality of the injection molded parts if they are not aligned.

Looije, for his part, describes with opprobrium the difficulties inherent in leveling two independent components of a machine base relative to one another at column 1, lines 17-19, since it will result in "certain assembly expenditure." Leveling two independent components of a machine base relative to one another, however, is exactly the problem with which Hehl is attempting to cope. It is submitted therefore that persons of ordinary skill in the art who read Looije for all it contained at the time the invention was made would have been deterred from combining Hehl with Looije, as proposed in the Office Action, since to do so would have run counter to the clear warning about the difficulties inherent in leveling two independent components of a machine base relative to one another in Looije. Claim 5 is submitted to be allowable. Withdrawal of the rejection of claim 5 is earnestly solicited.

New Claims 8 and 9:

None of the cited references teach, disclose, or suggest a first base frame supporting a stationary platen and a second base frame supporting a movable platen, as recited in claims 8 and 9. Claims 8 and 9 are thus submitted to be allowable.

Summary

It is submitted that the references cited in the Office Action, taken individually or in combination, do not reach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-9 are in a condition suitable for allowance. Entry of the Amendment, reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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